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 NATIONAL RAILROAD  
 PASSENGER CORPORATION  
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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 THURMAN E. BROWN,

Case No. 3:09-cv-03401 JL

12 Plaintiff,

**STIPULATION TO INDEPENDENT  
 MEDICAL EXAMINATION PURSUANT  
 TO RULE 35 OF THE FEDERAL RULES  
 OF CIVIL PROCEDURE**

13 v.

14 NATIONAL RAILROAD PASSENGER  
 CORPORATION, a.k.a., "AMTRAK," a  
 15 corporation,

16 Defendant.

17  
 18 IT IS HEREBY STIPULATED by and between plaintiff THURMAN E. BROWN  
 19 ("Plaintiff") and defendant NATIONAL RAILROAD PASSENGER CORPORATION.  
 20 ("Defendant"), through their designated counsel, that plaintiff will undergo a physical  
 21 examination pursuant to Rule 35 of the Federal Rules of Civil Procedure. Said examination shall  
 22 take place on **June 17, 2010 at 2:00 p.m.** and will be conducted by Peter Slabaugh, M.D. at  
 23 Webster Orthopaedic Medical Group, 80 Grand Avenue, Suite 400, Oakland, California 94612,  
 24 Telephone: (510) 267-4017.

25 This examination will be conducted for the purpose of determining the nature and extent  
 26 of plaintiff's physical injuries and the relationship thereof to the accident which is the subject of  
 27 this litigation, and will consist of all necessary and customary activities required to make such a  
 28 determination, including but not limited to medical history, history of accident in question, and

1 physical examination and evaluation. Photographs of Plaintiff's injuries may be taken for use at  
2 trial.

3 Plaintiff shall be responsible for any cancellation or no show fees per Dr. Slabaugh's  
4 policy.

5  
6 Dated: June 7, 2010

HILDEBRAND, MCLEOD & NELSON, INC.

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8 By: \_\_\_\_\_ /s/ John Furstenthal  
JOHN FURSTENTHAL  
9 Attorneys for Plaintiff  
THURMAN E. BROWN

10 Dated: June 7, 2010

11 LOMBARDI, LOPER & CONANT, LLP

12 By: \_\_\_\_\_ /s/ Liza Siu Mendoza  
13 LIZA SIU MENDOZA  
14 Attorneys for Defendant  
NATIONAL RAILROAD PASSENGER  
CORPORATION

15 IT IS SO ORDERED:

16 June 14

17 DATED: \_\_\_\_\_, 2010

  
18 HONORABLE JAMES LARSON  
19 UNITED STATES DISTRICT JUDGE